

Ragan
Signature of Sponsor

AMEND Senate Bill No. 2247*

House Bill No. 2666

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-2201(a)(1), is amended by deleting the language "ten (10) members, nine (9)" and substituting instead the language "twelve (12) members, eleven (11)".

SECTION 2. Tennessee Code Annotated, Section 49-6-2201(a)(1)(A), is amended by deleting the subdivision and substituting instead:

(A) The speaker of the senate appoints a:

(i) Director of schools or a person with a valid instructional leader license;

(ii) Teacher or instructional supervisor in the intermediate grades, grades

four through eight (4-8); and

(iii) Certified school librarian;

SECTION 3. Tennessee Code Annotated, Section 49-6-2201(a)(1)(B), is amended by deleting the subdivision and substituting instead:

(B) The speaker of the house of representatives appoints a:

(i) Director of schools or a person with a valid instructional leader license;

(ii) Teacher or instructional supervisor in the lower grades, grades

kindergarten through three (K-3); and

(iii) Certified school librarian;

SECTION 4. Tennessee Code Annotated, Section 49-6-2201(b)(1), is amended by deleting the subdivision and substituting instead:

(1) Except as otherwise provided in subdivisions (b)(2) and (3), each member appointed pursuant to subdivisions (a)(1)(C) and (D)(ii)(a) must be confirmed by joint resolution of the general assembly upon the recommendation of the education committee of the senate and the education administration committee of the house of representatives in the legislative session immediately following the appointment.

SECTION 5. Tennessee Code Annotated, Section 49-6-2201(d)(2), is amended by adding the following as a new subdivision:

(D) The persons appointed pursuant to subdivisions (a)(1)(A)(iii) and (B)(iii) serve an initial term of three (3) years and the term expires on June 30, 2025.

SECTION 6. Tennessee Code Annotated, Section 49-6-2201(h)(9)(B), is amended by deleting the subdivision and substituting instead:

(B) The goals of the public school library book and educational materials review process as described in subsection (m). The commission shall not approve books that may be selected by a library to be included as part of the library's collection unless the book is appropriate for the age and maturity levels of the students who may access the book, and is suitable for, and consistent with, the educational mission of the school.

SECTION 7. Tennessee Code Annotated, Section 49-6-2201, is amended by adding the following as a new subsection:

(m) Notwithstanding any law to the contrary, the commission shall:

(1) Issue a list of books and other educational materials approved by the commission that may be made available to students enrolled in an LEA in a library operated by an LEA no later than December 1, 2022, and update the list by April 1 each year thereafter. The list must indicate the suitable age and maturity level of students who may access the books and other educational materials on the list; and

(2) Establish an appeals process for a parent of a student enrolled in an LEA to challenge the placement of a book or other educational material on, or

exclusion of a book or other educational material from, the list issued pursuant to subdivision (m)(1).

SECTION 8. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) Beginning January 1, 2023, and before the beginning of each school year thereafter, each LEA shall ensure that all books and other educational materials that are available to students enrolled in the LEA in the library operated by the LEA are:

(1) Approved books and educational materials on the list issued pursuant to § 49-6-2201(m)(1);

(2) Policy pamphlets pursuant to § 49-2-207;

(3) Updated copies of the rules, regulations, and minimum standards of the state board of education pursuant to § 49-2-301(b)(1)(BB); or

(4) Textbooks or instructional materials pursuant to § 49-6-2203.

(b) If a book or other educational material is available to students enrolled in an LEA in the library operated by the LEA that is not in accordance with subsection (a), then the LEA shall remove the respective book or other educational material from the library.

(c) An LEA shall ensure that the books and other educational materials are only available to students who have the suitable age and maturity level to access the books as established pursuant to § 49-6-2201(m)(1).

SECTION 9. Tennessee Code Annotated, Section 49-6-2201(k)(1), is amended by deleting the subdivision and substituting instead:

Prior to July 1, 2022, six (6) members of the commission shall constitute a quorum for the purpose of meeting and conducting business. On or after July 1, 2022, seven (7) members of the commission constitute a quorum for the purpose of meeting and conducting business.

SECTION 10. Tennessee Code Annotated, Section 49-6-2201(a), is amended by adding the following new subdivision:

(4) The Tennessee state library coordinator shall serve as an ex officio non-voting member of the commission. The state library coordinator shall recommend a list of approved books and other educational materials to the commission issued pursuant to subsection (m). The list created by the state library coordinator must be approved by the commission before the list is issued to libraries operated by an LEA.

SECTION 11. Tennessee Code Annotated, Section 49-6-2201(a)(1), is amended by deleting the language "twelve (12) members, eleven (11)" and substituting the language "thirteen (13) members, eleven (11)".

SECTION 12. Tennessee Code Annotated, Title 49, Chapter 6, Part 38, is amended by adding the following new section:

This part is repealed on December 31, 2022.

SECTION 13. If Senate Bill 1784 / House Bill 1667 becomes law, then Sections 10 and 11 of this act take effect July 1, 2022, the public welfare requiring it. If Senate Bill 2407 / House Bill 2154 becomes law, then Section 12 of this act takes effect July 1, 2022, the public welfare requiring it. All other sections of this act take effect upon becoming a law, the public welfare requiring it.